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Thomas Bock

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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

GREEN, RICHARD R

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,025	Applicant(s) BOCK ET AL.	
	Examiner Richard R. Green	Art Unit 3644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-18,20-34,37-44 and 46-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-18,20-34,37-44 and 46-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim **17** is objected to because of the following informalities: "completely enclosed spaced" should read, "completely enclosed spaces," as best considered by the examiner. Appropriate correction is required.

Claim **18** is objected to because of the following informalities: In line 8, "a storage portion and a sleep portion" should read "a storage position and a sleep position," as best considered by the examiner to clear up issues of antecedent basis within the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims **18-65** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims **18 and 65**, three configurations of work, relaxation and sleep are required for the furniture within the compartment, but only one specific variable has been stated as changing between the configurations, rendering no possible structural difference between two of the configurations. The bed must be in a sleep position for the furniture to be considered to be in a sleep configuration, but when the bed is in a storage position it is impossible to determine whether the furniture is in a relaxation or a

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work configuration. Moreover, for this single stated variable, there is no structural definition of either storage or sleep configurations, leaving it unclear as to what transformation a bed must undergo to be considered in a storage position as opposed to a sleep configuration. The mere act of making a bed by tucking in the sheets could be considered a storage configuration, as the sheets would generally be turned down prior to sleeping. It is important to make a structural distinction between all three configurations since it is not only possible to work, relax or sleep in most environments designed for any of the three, but very likely that many people have done one of the off-choices in environments designed for one, like doing a crossword at a workstation or tele-working from bed. To overcome this rejection, the limitation must either be removed or expanded with different structural limitations for every listed configuration and position.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims **1, 3, 5, 11-15, 18, 43, 50, 51 and 65** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over USPN-6056239 to Cantu.

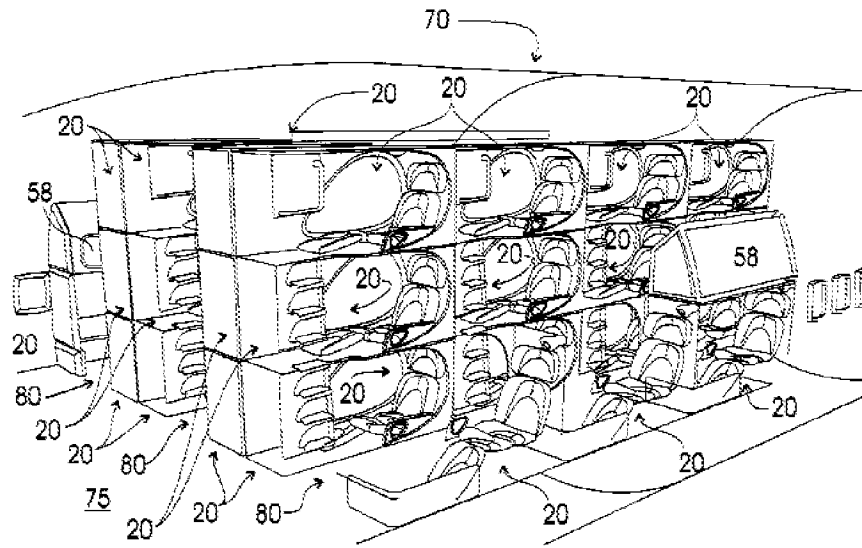


FIG. 4

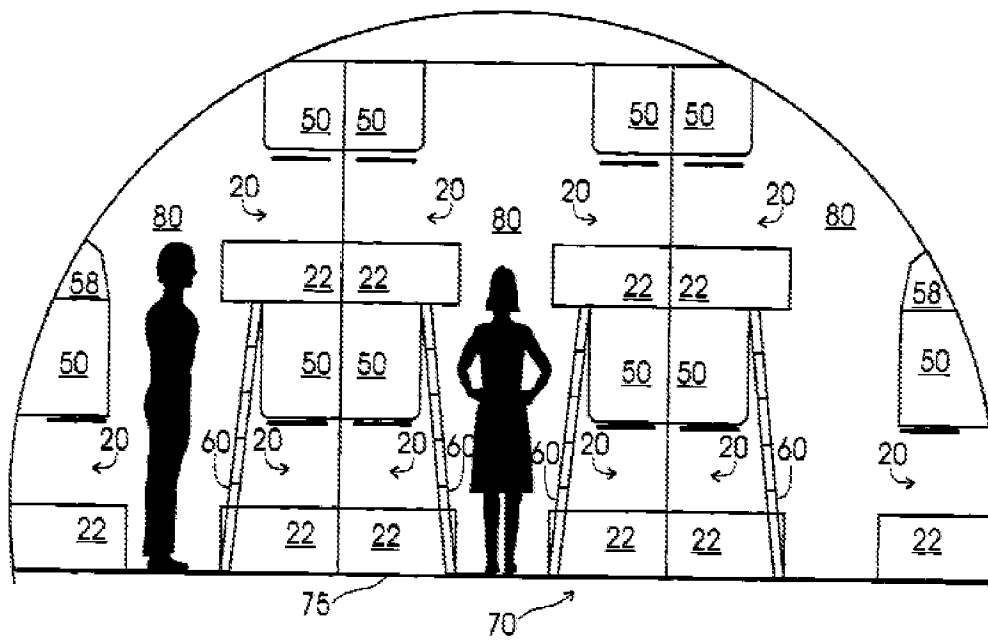
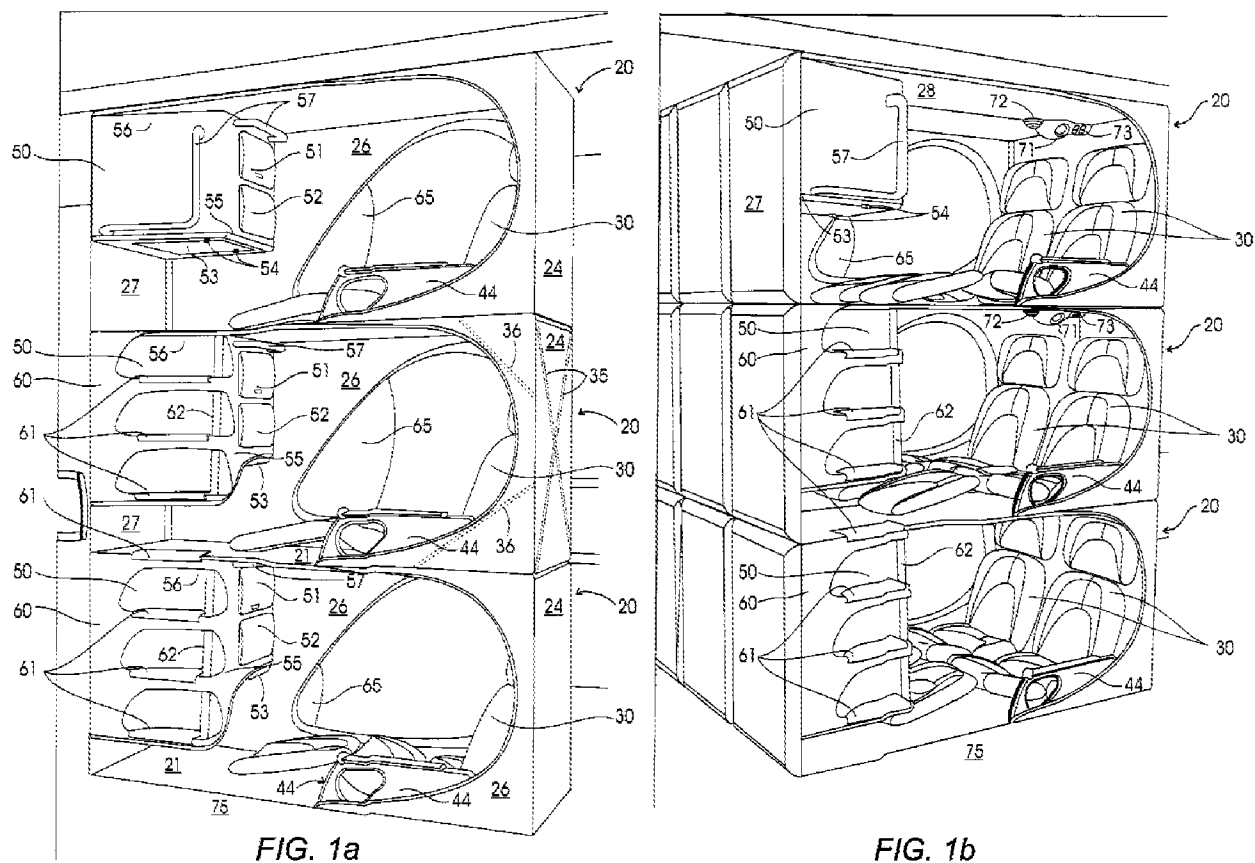


FIG. 13b



Regarding claims **1** and **3**, Cantu provides an aircraft cabin that comprises at least three rows of private passenger compartments for passengers during an aircraft flight (figs. 1a, 4), with the rows of the compartments extending in a length-wise extending direction of the aircraft, with adjacent rows being separated by length-wise extending aisles, and with two outer rows being positioned along opposite sides of the aircraft with the aircraft side walls forming compartment walls and at least one internal row being positioned between the outer rows and separated from at least one outer row by a said length-wise extending aisle (fig. 13b), with each compartment comprising walls (fig. 1a) that define a compartment space and being accessible via a doorway in one of the walls (openings in figs. 1a, 4 considered to be doorways which provide

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access) and with each compartment at least comprising a chair for a passenger (fig. 1a; col. 5, lines 59-60: "at least one convertible seat-bed unit"). The examiner asserts that the silhouettes in fig. 13b teach that the compartment walls are at least the height of an average person, which is taller than 1.6 meters, and that as configured the walls for three stacked reclining beds would require a height of at least 6 feet, which is greater than 1.5 meters. However, in the alternative, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Cantu with walls of at least 1.6 meters, to allow the recliners pictured in figs. 1a-b to sit in the pictured upright position and still accommodate persons of average height.

Regarding claim **5**, Cantu provides the cabin defined in claim 1 wherein the doorway walls define the aisles and the compartments are accessible from the aisles via the doorways (fig. 13b, fig. 4).

Regarding claim **11**, Cantu provides the cabin defined in claim 1 wherein the walls that form the two outer rows of the compartments comprise (a) the aircraft side walls, (b) walls that extend inwardly from the aircraft side walls, and (c) the doorway walls (see fig. 4, near or far ends)

Regarding claim **12**, Cantu provides the cabin defined in claim 1 wherein the or each interior row of the compartments comprises a plurality of pairs of length-wise extending compartments, with the doorways of the compartments of each pair providing access to the compartments from aisles on opposite sides of the interior row (fig. 4).

Regarding claim **13**, Cantu provides the cabin defined in claim 12 wherein the compartments of at least one pair of compartments is separated by a length-wise

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extending wall that is a removable wall, whereby the pair of compartments may be converted into a double compartment by removing the removable wall (col. 5, lines 42-52 describe a sliding privacy panel, pointed to by arrows 20 in figure 2. When said privacy walls are opened, inner compartments are considered to form a double compartment).

Regarding claim **14**, Cantu provides the cabin defined in claim 13 wherein each compartment of the at least one of the pair of compartments comprises single beds that can be moved from storage positions to sleep positions (col. 6, lines 4-10 describe beds that fold into chairs, the chair position is considered a storage position of the bed) that are in side-by-side relationship when the compartment is converted into the double compartment so as to form a double bed (see fig. 5a; panels 65 slide to open and form a double bed) without privacy wall.

Regarding claim **15**, Cantu provides the cabin defined in claim 1 comprising a plurality of wardrobes (fig. 1a, items 51 or 52) in walls of the compartments that separate adjacent compartments in the rows of compartments.

Regarding claims **18 and 20**, Cantu provides a private passenger compartment for a passenger during an aircraft flight that comprises walls that define a compartment space (fig. 1b), a doorway in one of the walls that enables access to the compartment from an aisle (the opening in fig. 1b is considered to be a doorway that enables access to the compartment from an aisle), and a chair (fig. 1b, one of the aisle-chairs) and a bed and a seat (fig. 1b, the bed may be a lower inside reclining chair, and the seat may be an upper inside chair) located in the compartment space in an interactive way so that

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the furniture can be selectively arranged in a number of different configurations (seats in fig. 1b are convertible to chairs col. 5, lines 59-60) adapted for relaxation, work, and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (the bed is taught to have a reclined position and a chair position in col. 5, lines 59-60, which chair position may be considered a storage position in that it takes up less horizontal space. Since both work and relaxation may be performed in a chair, and sleep may be performed in a reclined seat, the furniture is considered to be arranged in work and relaxation configurations when the seat is in the storage position and arranged in the sleep configuration when the seat is in the sleep position). The examiner asserts that the silhouettes in fig. 13b teach that the compartment walls are at least the height of an average person, which is taller than 1.6 meters, and that as configured the walls for three stacked reclining beds would require a height of at least 6 feet, which is greater than 1.5 meters. However, in the alternative, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Cantu with walls of at least 1.6 meters, to allow the recliners pictured in figs. 1a-b to sit in the pictured upright position and still accommodate persons of average height.

Regarding claim **43**, Cantu provides the compartment defined in claim 18 wherein the table assembly is housed in the credenza so that it can be moved from a stored position within the credenza to an operative position with a table of the table

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assembly extending horizontally into the compartment proximate the chair (col. 5, lines 20-29 teach that table may slide out from underneath the storage bin to what is considered an operative position in that it is taught to be capable of having objects placed on it, and it is considered to be proximate the chair as seen in fig. 1b, and in col. 5, lines 25-29 which teach that it may be placed on the seat.)

Regarding claim **65**, Cantu teaches a private passenger compartment for a passenger during an aircraft flight that comprises walls that define a compartment space (fig. 1b), a doorway in one of the walls that enables access to the compartment from an aisle (the opening in fig. 1b is considered to be a doorway that enables access to the compartment from an aisle), and a chair (fig. 1b, one of the aisle-chairs) and a bed and a seat (fig. 1b, the bed may be a lower inside reclining chair, and the seat may be an upper inside chair) located in the compartment space in an interactive way so that the furniture can be selectively arranged in a number of different configurations adapted for relaxation, work, and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (the bed is taught to have a reclined position and a chair position in col. 5, lines 59-60, which chair position may be considered a storage position in that it takes up less horizontal space. Since both work and relaxation may be performed in a chair, and sleep may be performed in a reclined seat, the furniture is considered to be arranged in work and relaxation configurations when the seat is in the storage position and arranged in the sleep configuration when

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the seat is in the sleep position). The examiner asserts that the silhouettes in fig. 13b teach that the compartment walls are at least the height of an average person, which is taller than 1.5 meters, and that as configured the walls for three stacked reclining beds would require a height of at least 6 feet, which is greater than 1.5 meters. However, in the alternative, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Cantu with walls of at least 1.5 meters, to allow the recliners pictured in figs. 1a-b to sit in the pictured upright position and still accommodate persons of average height.

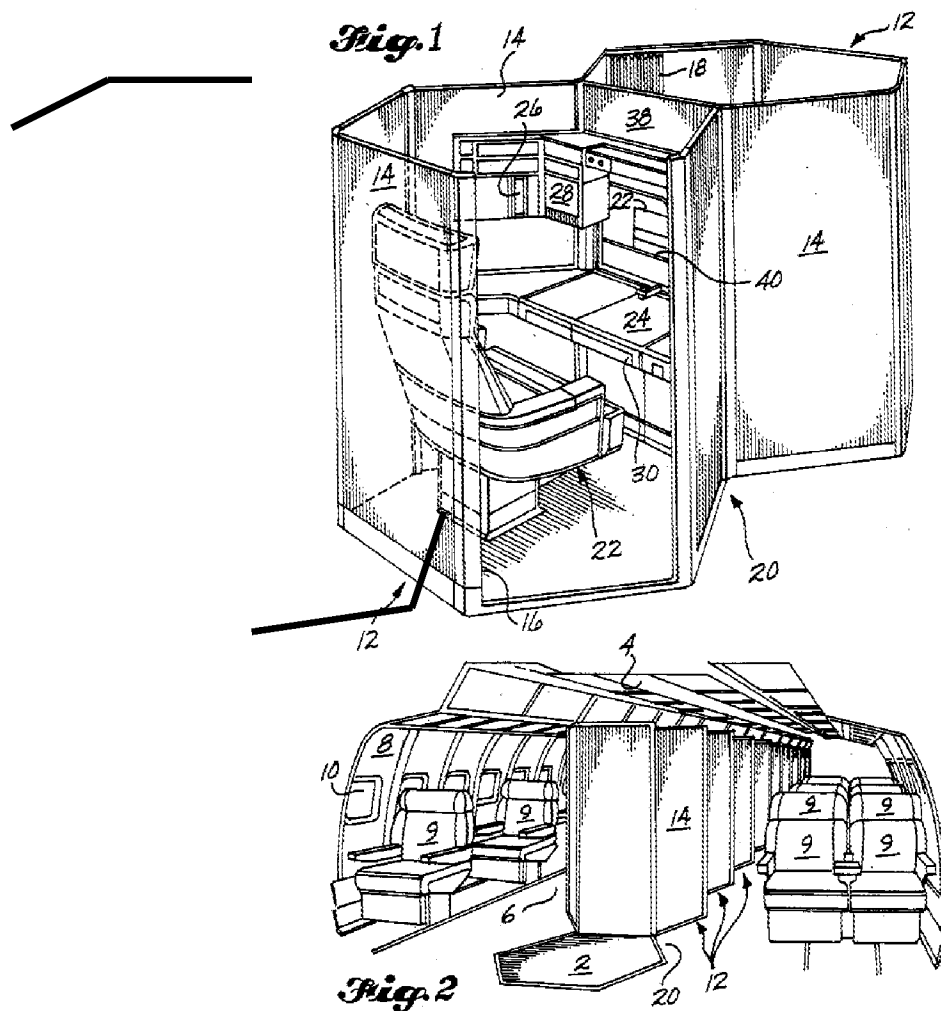
Regarding claim **50**, Cantu provides the compartment defined in claim 65 wherein an interactive combination of the basic furniture in the compartment space comprises: (a) the chair in one corner of the compartment space (fig. 1b, chair adjacent both the far wall and the wall on viewer's right forming a corner around the chair), (b) the seat adjacent one wall of the compartment (fig. 1b, chair nearest viewer, which is adjacent to both wall to viewer's right and the doorway wall), (c) the table assembly movable between a stored position adjacent one wall of the compartment (fig. 1b, item 53 as pictured is stored and adjacent the wall on viewer's left) and an operative position with a table of the table assembly extending horizontally proximate the chair (fig. 1b, item 53 when extended as in col. 5, lines 20-29).

Regarding claim **51**, Cantu provides the compartment defined in claim 65 wherein an interactive combination of the basic furniture in the compartment space comprises: (a) the chair in one corner of the compartment space (fig. 1b, chair adjacent the far wall and the wall on viewer's right, forming a corner about the chair) (b) the bed

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movable between a raised storage position and a lowered sleep position (fig. 1b, chair nearest the viewer is considered to be a bed as described in col. 4, lines 30-36, which is convertible from a lowered sleep position to a raised storage position when it is folded into a chair), (c) the table assembly movable between a stored position adjacent one wall of the compartment and an operative position with a table of the table assembly extending horizontally proximate the chair (item 53 in fig. 1b is a table assembly movable between a stored position adjacent one wall and an operative position as described in the rejection of claim 50).

Claims **1, 3, 5-8, 18, 20-23, 27-28, 32, 46 and 65** are rejected under 35 U.S.C. 103(a) as unpatentable over USPN-5024398 to Riedinger et al. (hereafter Riedinger).



Regarding claims **1** and **3**, Riedinger provides an aircraft cabin that comprises a plurality of private passenger compartments for passengers during an aircraft flight (fig. 2), with the rows of the compartments extending in a length-wise extending direction of the aircraft, with adjacent rows being separated by length-wise extending aisles, with each compartment comprising walls (fig. 1, items 14) that define a compartment space (fig. 1) and being accessible via a doorway in one of the walls (visible in fig. 1, col. 5, lines 7-9), and with each compartment at least comprising a chair for a passenger (visible in fig. 1). Riedinger fails to specifically teach all 3 rows of compartments in the

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same embodiment, but it would have been obvious to a person of ordinary skill in the art at the time of the invention to use the central row of compartments in fig. 3 with a side row of compartments as in fig. 7 on either side of the central row, for the purpose of adding more office space. Riedinger additionally is silent on the height of the compartment walls. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Riedinger with walls of at least 1.6 meters, such that they would be taller than the eye-level of persons of average height to provide privacy for the occupant.

Regarding claim **5**, Riedinger provides the cabin defined in claim 1 wherein the doorway walls define the aisles and the compartments are accessible from the aisles via the doorways (visible in fig. 7).

Regarding claim **6**, Riedinger provides the cabin defined in claim 1 wherein the doorways divide the doorway walls into two sections, with one section on each side of each doorway (visible in fig. 8, doorway pointed to by 18, sections to either side visible to either side).

Regarding claim **7**, Riedinger provides the cabin defined in claim 6 wherein the doorways are positioned centrally in the doorway walls (if doorway walls are considered as solely the panel in which they are placed, the doorway is centrally positioned as in fig. 8).

Regarding claim **8**, Riedinger provides the cabin defined in claim 1 wherein the aisles are curved aisles along the length thereof (curve visible in fig. 3, the fifth compartment from the left is offset, and the aisle is no longer straight at that point).

Regarding claims **18 and 20**, Riedinger provides a private passenger compartment for a passenger during an aircraft flight that comprises walls that define a compartment space (fig. 1), a doorway in one of the walls that enables access to the compartment from an aisle (fig. 2, col. 5, lines 7-9), and a chair (visible in fig. 1, at 22) and a bed (fig. 1, at 24; this might be a bed for a cat) and a seat (one might sit on the floor) located in the compartment space (fig. 1) in an interactive way so that the furniture can be selectively arranged in a number of different configurations (col. 7, lines 58-60 teach that the item 24 "pivots into a nonuse position to allow the occupant to stretch out and relax.") adapted for relaxation, work, and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (the chair is taught to have a reclined position and a chair position in col. 7, lines 58-60, which chair position may be considered a storage position in that it takes up less horizontal space. Since both work and relaxation may be performed in a chair, and sleep may be performed in a reclined seat, the furniture is considered to be arranged in work and relaxation configurations when the seat is in the storage position and arranged in the sleep configuration when the seat is in the sleep position). Riedinger is silent on the height of the compartment walls. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Riedinger with walls of at least 1.6 meters, such that they would be taller than the eye-level of persons of average height to provide privacy for the occupant.

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Regarding claim **21**, Riedinger provides the compartment defined in claim 18 including two opposed side walls and two opposed end walls that interconnect the side walls and define the compartment space (fig. 1 teaches walls in a hexagonal structure with opposing side walls and end walls which interconnect and define a compartment space; alternatively, opposing side walls can be considered to comprise adjoining panels as shown with examiner added bold lines in fig. 1, and end panels may be considered as the remaining walls behind the chair and in front of the desk), with the doorway being positioned in one of the side walls and dividing the side wall into two sections, with one section on each side of the doorway (fig. 1, sections of foremost wall to either side of opening 16; alternatively the side wall containing the doorway can be considered to be comprised of the foremost wall and the wall to viewer's right, as described previously and shown by examiner added bold lines, and sections are still on either side of the doorway).

Regarding claim **22**, Riedinger provides the compartment defined in claim 21 wherein the doorway is positioned centrally in the doorway wall (in the first consideration of the doorway wall as comprising only the foremost visible panel, the doorway is positioned centrally in the doorway wall, as seen in fig. 1).

Regarding claim **23**, Riedinger provides the compartment defined in claim 21 wherein the sections of the doorway wall are curved, for example by being convex as viewed from the aisle, so that the compartment is wider in these sections of the compartment than in the region of the doorway (in the second consideration of the doorway wall as two-paneled, as shown by examiner added bold lines in fig. 1, the

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sections of the doorway wall are curved such that the compartment is wider between the ends of the wall than in the region of the doorway).

Regarding claim **27**, Riedinger provides the compartment defined in claim 18 including a door assembly for closing the doorway (fig. 5; col. 5, lines 12-13 teach a closable curtain).

Regarding claim **32**, Riedinger provides the compartment defined in claim 27 wherein the door assembly comprises an upper rail and a curtain supported by the rail (fig. 5 displays a curtain supported by a rail).

Regarding claim **65**, Riedinger teaches a private passenger compartment for a passenger during an aircraft flight that comprises walls that define a compartment space (fig. 1), a doorway in one of the walls that enables access to the compartment from an aisle (fig. 2, col. 5, lines 7-9), and a chair (visible in fig. 1, at 22) and a bed (fig. 1, at 24; this might be a bed for a cat) and a seat (one might sit on the floor) located in the compartment space in an interactive way so that the furniture can be selectively arranged in a number of different configurations adapted for relaxation, work, and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (col. 7, lines 58-60 teach that the item 24 “pivots into a nonuse position to allow the occupant to stretch out and relax.” The chair is taught to have a reclined position and a chair position in col. 7, lines 58-60, which chair position may be considered a storage position in that it takes up less horizontal space. Since

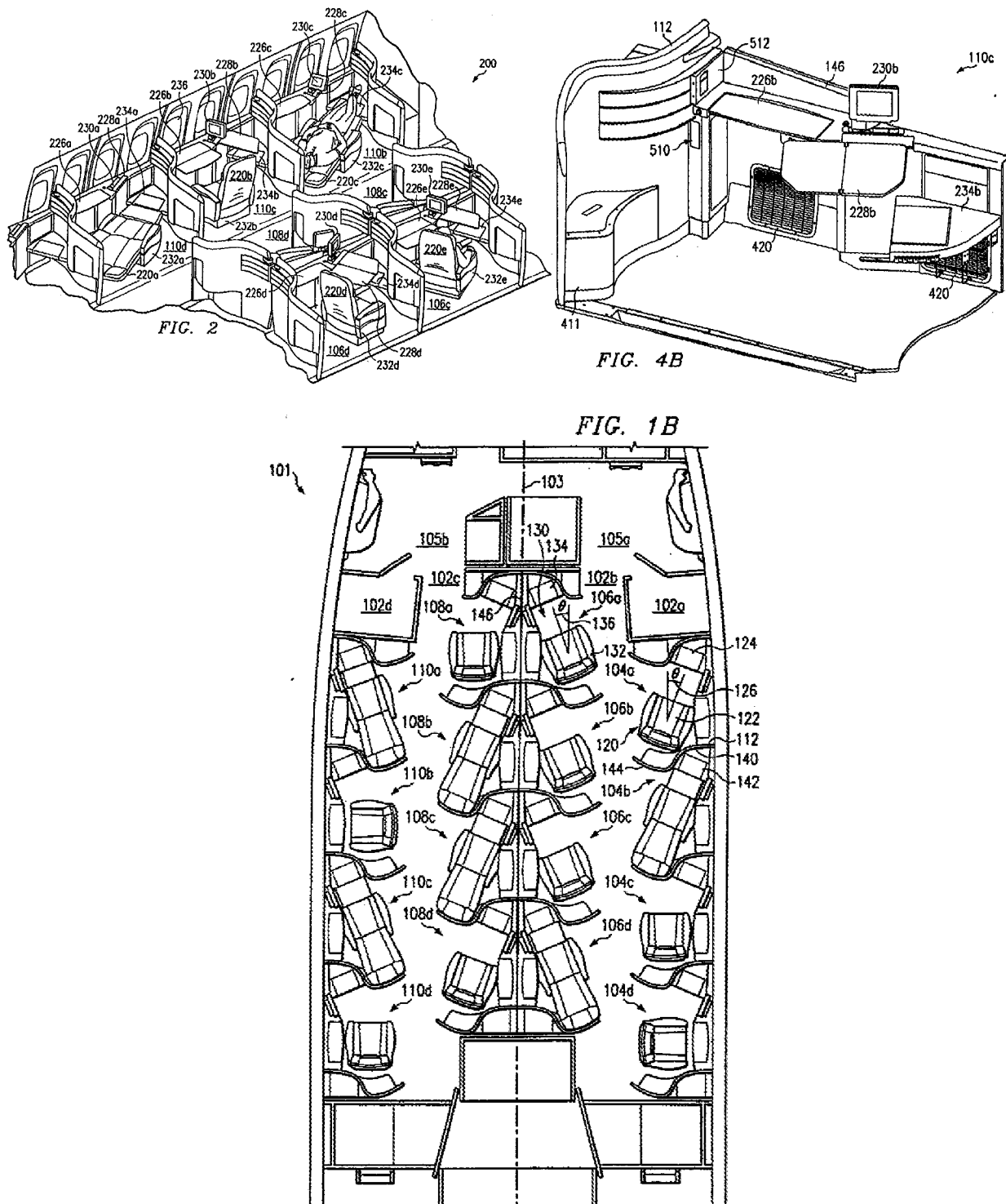
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both work and relaxation may be performed in a chair, and sleep may be performed in a reclined seat, the furniture is considered to be arranged in work and relaxation configurations when the seat is in the storage position and arranged in the sleep configuration when the seat is in the sleep position). Riedinger is silent on the height of the compartment walls. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Riedinger with walls of at least 1.5 meters, such that they would be taller than the eye-level of persons of average height to provide privacy for the occupant.

Regarding claim **46**, Riedinger provides the compartment defined in claim 65 wherein an interactive combination of the basic furniture in the compartment space comprises: (a) the chair in one corner of the compartment space (it is considered to be in the corner defined by the wall behind it and the wall to the left of the wall behind it), (b) the work desk along at least a part of one wall of the compartment and proximate the chair (the counter to the side of the chair is along a wall and proximate the chair), (c) the table assembly movable between a stored position adjacent one wall of the compartment and an operative position with a table of the table assembly extending horizontally proximate the chair (the table assembly 24 is shown in operative position extending horizontally proximate the chair, which is taught to be pivotable into a nonuse position adjacent a wall in col. 7, lines 58-60).

Claims **1, 3, 5, 8-13, 18, 20, 43-44, 46-59 and 65** are rejected under 35 U.S.C. 103(a) as being unpatentable over GB-2362095 to Dryburgh.

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Regarding claims **1** and **3**, Dryburgh provides an aircraft cabin (fig. 1b, item 101) that comprises a plurality of private passenger compartments for passengers during an

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aircraft flight (such as in figs. 2, 4b), with the rows of the compartments extending in a length-wise extending direction of the aircraft, with adjacent rows being separated by length-wise extending aisles, and with two outer rows being positioned along opposite sides of the aircraft with the aircraft side walls forming compartment walls and at least one internal row being positioned between the outer rows and separated from at least one outer row by a said length-wise extending aisle (see fig. 1b) with each compartment comprising walls (fig. 2) that define a compartment space and being accessible via a doorway in one of the walls (the openings between partitions 112 in fig. 1 or 2 are considered as doorways forming the entirety of the wall extending from the end of one partition 112 to the corresponding end of the partition 112 in front of or behind it) and with each compartment at least comprising a chair for a passenger (visible in fig. 2). Dryburgh is silent on the exact height of the compartment walls, and though it appears in fig. 4b that the walls may be 1.5 or 1.6 meters tall, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Dryburgh with walls that are 1.6 meters tall, for privacy purposes.

Regarding claim **5**, Dryburgh provides the cabin defined in claim 1 wherein the doorway walls define the aisles and the compartments are accessible from the aisles via the doorways (doorway wall definition given regarding claim 1, compartments are considered accessible from the aisles via these doorways).

Regarding claim **8**, Dryburgh provides the cabin defined in claim 1 wherein the aisles are curved aisles along the length thereof (curve visible in fig. 1).

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Regarding claim **9**, Dryburgh provides the cabin defined in claim 8 wherein the curved aisles are formed by forming the doorway walls as curved walls on both sides of the aisles and by positioning the compartments so that the doorways of the compartments on opposite sides of the aisles are not aligned whereby the doorways face the doorway walls on the opposite sides of the aisles (this doorway alignment is visible in figs. 1 and 2; the aisles are defined by the lack of infringing partitions, which encroach in an offset manner as the cabin narrows at the nose and so the doorway walls as previously defined would curve between the offset partitions and are considered to form the curved aisles).

Regarding claim **10**, Dryburgh provides the cabin defined in claim 9 wherein the compartments are positioned so that the doorways of the compartments on one side of the aisles face the doorway walls on the other side of the aisles, and vice versa (this is visible in figs. 1 and 2).

Regarding claim **11**, Dryburgh provides the cabin defined in claim 1 wherein the walls that form the two outer rows of the compartments comprise (a) the aircraft side walls, (b) walls that extend inwardly from the aircraft side walls, and (c) the doorway walls (this is visible in fig. 1, doorway walls as previously defined).

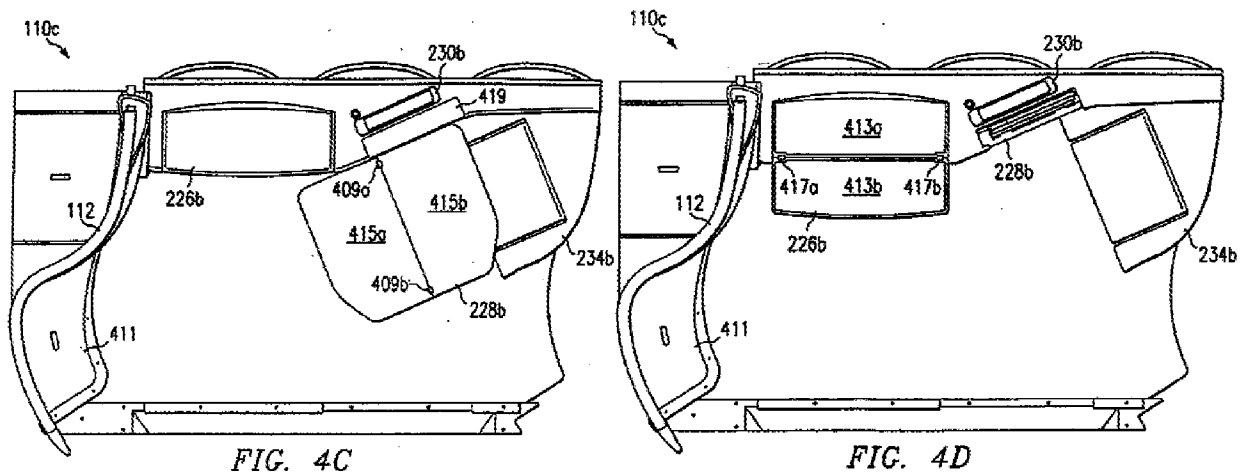
Regarding claim **12**, Dryburgh provides the cabin defined in claim 1 wherein the or each interior row of the compartments comprises a plurality of pairs of length-wise extending compartments, with the doorways of the compartments of each pair providing access to the compartments from aisles on opposite sides of the interior row (visible in fig. 1).

Regarding claim **13**, Dryburgh provides the cabin defined in claim 12 wherein the compartments of at least one pair of compartments is separated by a length-wise extending wall that is a removable wall, whereby the pair of compartments may be converted into a double compartment by removing the removable wall (dividers 146 in fig. 1 are taught to be removable in the paragraph crossing pages 15-16).

Regarding claims **18 and 20**, : Dryburgh provides a private passenger compartment for a passenger during an aircraft flight (fig. 1 or 2) that comprises walls that define a compartment space (fig. 2), a doorway in one of the walls that enables access to the compartment from an aisle (fig. 1 or 2, space between ends of adjacent parallel partitions 112), and a chair (visible in fig. 1 or 2 as item 124) and a bed (visible in fig. 1 or 2 as item 120) and table assembly (fig. 4c, items 415a and b) located in the compartment space in an interactive way so that the furniture can be selectively arranged in a number of different configurations adapted for relaxation, work and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (these configurations are displayed in fig. 2; the bed at 120 has a storage position where it takes up less space as a chair, and when in this storage position, the table assembly may be arranged as in fig. 4c for work, or as in fig. 4d to put work away and relax. When the bed is reclined as visible in fig. 2, it is considered to be in a sleep configuration). Dryburgh is silent on the exact height of the compartment walls, and though it appears in fig. 4b that the walls may be 1.5 or 1.6

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meters tall, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Dryburgh with walls that are 1.6 meters tall, for privacy purposes.



Regarding claim **43**, Dryburgh provides the compartment defined in claim 18 wherein the table assembly is housed in the credenza so that it can be moved, for example by being swiveled, from a stored position within the credenza to an operative position with a table of the table assembly extending horizontally into the compartment proximate the chair (page 16, paragraphs 2 and 3 describe some of the movement capabilities of the table assembly, also implied by the figures 4c and 4d).

Regarding claim **44**, Dryburgh provides the compartment defined in claim 18 wherein an interactive combination of the furniture in the compartment space comprises: (a) the chair to one side of the doorway (fig. 1, an item 124 or fig. 4b, item 234b, as taught in page 11, last paragraph), (b) the seat to the other side of the doorway (fig. 1, an item 120), (c) the credenza against the wall opposite the doorway (fig. 4d, counter opposite the doorway), and (d) the table assembly housed in the credenza (as in fig. 4d) and movable between a stored position within the credenza and

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an operative position with a table of the table assembly extending horizontally into a space between the chair and the seat (page 16, or as implied by the figures 4c and 4d).

Regarding claim **65**, Dryburgh teaches a private passenger compartment for a passenger during an aircraft flight (fig. 1 or 2) that comprises walls that define a compartment space (fig. 2), a doorway in one of the walls that enables access to the compartment from an aisle (fig. 1 or 2, space between ends of adjacent parallel partitions 112), and a chair (visible in fig. 1 or 2 as item 124) and a bed (visible in fig. 1 or 2 as item 120) and table assembly (fig. 4c, items 415a and b) located in the compartment space in an interactive way so that the furniture can be selectively arranged in a number of different configurations adapted for relaxation, work and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (these configurations are displayed in fig. 2; the bed at 120 has a storage position where it takes up less space as a chair, and when in this storage position, the table assembly may be arranged as in fig. 4c for work, or as in fig. 4d to put work away and relax. When the bed is reclined as visible in fig. 2, it is considered to be in a sleep configuration). Dryburgh is silent on the exact height of the compartment walls, and though it appears in fig. 4b that the walls may be 1.5 meters tall, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Dryburgh with walls that are 1.5 meters tall, for privacy purposes.

Regarding claim **46**, Dryburgh provides the compartment defined in claim 65 wherein an interactive combination of the basic furniture in the compartment space comprises: (a) the chair in one corner of the compartment space (fig. 1 or 2, item 124 can be considered a chair in a corner of the compartment space), (b) the work desk along at least a part of one wall of the compartment (fig. 4b, item 226b) and proximate the chair (as seen in fig. 4b), (c) the table assembly (fig. 4c, items 415a and b) movable between a stored position adjacent one wall of the compartment and an operative position (as described previously and in figures 4) with a table of the table assembly extending horizontally proximate the chair (visible in figures 4).

Regarding claim **47**, Dryburgh provides the compartment defined in claim 46 comprising the bed movable between a raised storage position and a lowered sleep position on the work desk (when item 411 is considered a work desk, it is taught to be a support for a recliner on page 15, last paragraph, which is taught to be movable between a raised storage position as a chair and a lowered sleep position in page 13, last sentence).

Regarding claim **48**, Dryburgh provides the compartment defined in claim 46 comprising the seat adjacent at least a part of one wall of the compartment (visible in fig. 1).

Regarding claim **49**, Dryburgh provides the compartment defined in claim 46 wherein the work desk and the seat are positioned adjacent different walls of the compartment (fig. 4b, work desk 226b is adjacent a different wall than the seat 120 in fig. 1, which is adjacent the work table 411 in fig. 4b).

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Regarding claim **50**, Dryburgh provides the compartment defined in claim 65 wherein an interactive combination of the basic furniture in the compartment space comprises: (a) the chair in one corner of the compartment space (fig. 4c, item 234b), (b) the seat adjacent one wall of the compartment (fig. 1, item 122), (c) the table assembly movable between a stored position adjacent one wall of the compartment and an operative position with a table of the table assembly extending horizontally proximate the chair (fig. 4c, items 415a and b, movable as previously described).

Regarding claim **51**, Dryburgh provides the compartment defined in claim 45 wherein an interactive combination of the basic furniture in the compartment space comprises: (a) the chair in one corner of the compartment space (fig. 4c, item 234b), (b) the bed movable between a raised storage position and a lowered sleep position (recliner 120 in fig. 1, movable between raised and lowered positions as described in page 13, second paragraph. Use as a chair is considered a raised storage position), (c) the table assembly movable between a stored position adjacent one wall of the compartment and an operative position with a table of the table assembly extending horizontally proximate the chair (figures 4, and as previously described).

Regarding claim **52**, Dryburgh provides the compartment defined in claim 65 wherein an interactive combination of the basic furniture in the compartment space comprises: (a) the chair in one corner of the compartment space (fig. 4c, item 234b, or alternatively fig. 1, item 120), (b) the seat adjacent a wall opposite the chair when the chair is in a takeoff position (fig. 1, item 120 as pointing toward the front or top of page, or alternatively fig. 4c, item 234b), (c) the work desk adjacent a wall that is in a

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lengthwise-extending direction of the aircraft (fig. 4c, item 226b), (d) the table assembly movable between a stored position adjacent the same wall as the work desk and an operative position with a table of the table assembly extending horizontally in a space between the chair and the seat (fig. 4c and 4d, enclosure for table is between chair 234b and seat 120 which should be adjacent item 411), and (e) the bed (a chair 120 in reclined position as in page 13, second paragraph) movable between a raised storage position and a lowered sleep position (page 13, 2nd paragraph) on the work desk (bed is supported by work desk 411 as described in page 15, last paragraph).

Regarding claim **53**, Dryburgh provides the compartment defined in claim 52 wherein the work desk and the table assembly are located adjacent the wall that is opposite the wall that defines the doorway (work desk 226b and table assembly 228b are located adjacent the wall opposite the wall that defines the doorway, as in fig. 4c).

Regarding claim **54**, Dryburgh provides the compartment defined in claim 53 wherein the work desk defines a support platform for the bed and supports the bed when the bed is in the sleep position (work desk 411 defines a support platform for recliner 120 when it is fully horizontal as in page 15, last paragraph and is considered to support it in the sleep position).

Regarding claim **55**, Dryburgh provides the compartment defined in claim 54 wherein the bed is stored in the raised position in the compartment space and is moveable down to the lowered sleep position on the platform and is supported by the platform in the lowered position (Bed is stored in the raised position in the compartment space as a chair as visible in fig. 2, items 120, and is movable down to a lowered sleep

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position as previously described and on page 15, and is supported by work desk 411 when in the sleep position).

Regarding claim **56**, Dryburgh provides the compartment defined in claim 52 wherein the work desk and the table assembly are positioned in relation to the chair when the table assembly is in the operative position so that the chair can be swiveled between positions facing the work desk and the table assembly (when chair is considered to be item 120 from fig. 1, recliner 120 is taught to swivel in positions visible in fig. 2 as described on page 14, last paragraph, and is taught to be capable of facing work desk 226b or table assembly 228b as in page 11, last paragraph).

Regarding claim **57**, Dryburgh provides the compartment defined in claim 52 wherein a work platform of the work desk is vertically adjustable to accommodate different requirements of different passengers (work platform 413b is considered vertically adjustable in that it hinges about hinges 417a and b to fold on top of 413a as described in page 16, third paragraph, which places the work platform at various vertical positions).

Regarding claim **58**, Dryburgh provides the compartment defined in claim 57 wherein the stored position of the table assembly is adjacent the work desk (fig. 4c, stored position 419 is adjacent to work desk 226b).

Regarding claim **59**, Dryburgh provides the compartment defined in claim 57 wherein the stored position of the table assembly is within the space occupied by the work desk (the space occupied by work desk 226b is considered to comprise the counter on the far wall, into which the table assembly 228b is stored, as in fig. 4d).

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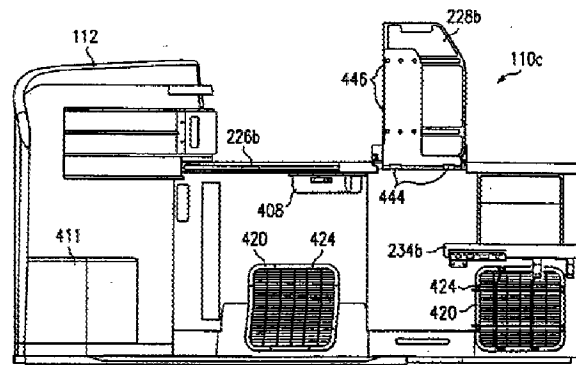
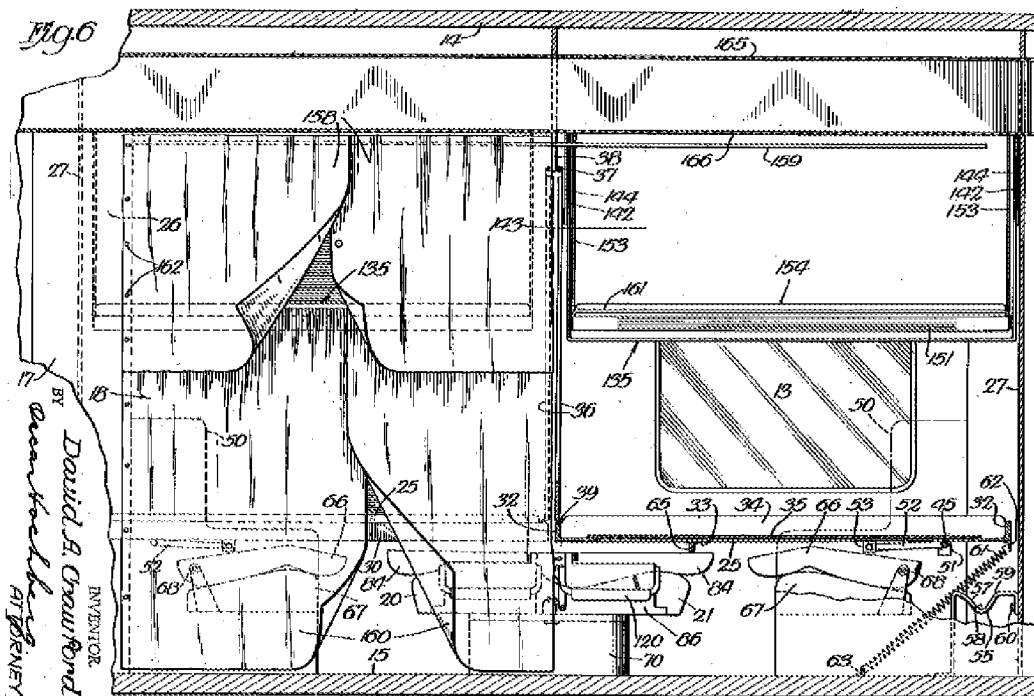
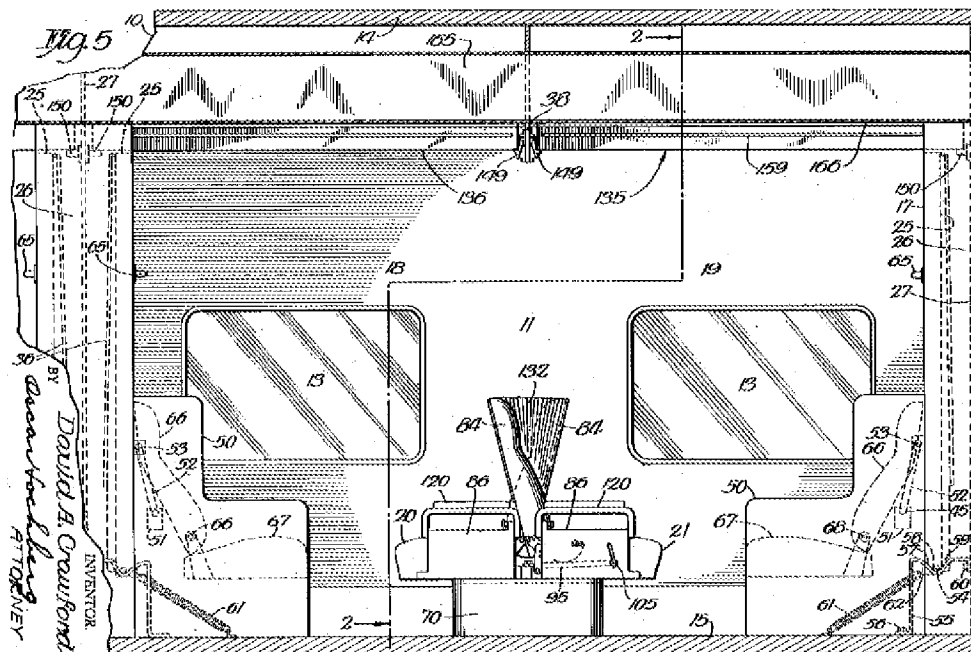


FIG. 4F

Claims **18, 20 and 37-41** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being unpatentable over USPN-2612120 to Crawford.





Regarding claims **18 and 20**, Crawford provides a private passenger compartment for a passenger that comprises walls that define a compartment space (fig. 6), a doorway in one of the walls that enables access to the compartment from an aisle (fig. 6), and a chair (chair with cushion 67 in fig. 5) and a bed (at 34, fig. 6) and a seat (fig. 5 or 6, at 21) located in the compartment space in an interactive way so that the furniture can be selectively arranged in a number of different configurations adapted for relaxation, work, and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (bed is foldable as seen in fig. 6. When it is folded up in the storage position, both work and relaxation are possible from a seated position in either the chair or seat; perhaps work in the chair and relaxation in the seat. When the bed is unfolded, sleep is possible on the bed).

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Crawford is silent on the height of the compartment walls, though they appear to take the entire height of the compartment as well as contain the entire length of the bed when it is in the storage position, which either means that the compartment walls are at least 1.6 meters high or else the bed is sized so as to accommodate only persons who are shorter than 5'3". However, if the compartment is not considered to be at least 1.6 meters tall, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Crawford with walls of at least 1.6 meters, such that they could contain beds which were long enough for persons at least 5'3" in height to lie down with legs extended.

Regarding claim **37**, Crawford provides the compartment defined in claim 18 wherein the bed is foldable from a storage position in one of the compartment walls (visible in fig. 5) to a sleep position within the compartment (fig. 6).

Regarding claim **38**, Crawford provides the compartment defined in claim 37 wherein the chair is foldable from an operative position (fig. 5, chair with cushion 67) in which a person can sit upright in the chair to an inoperative position in which the folded chair defines a support for the bed when the bed is in the sleep position (fig. 6, chair with cushion 67 and back 84 defines a support for the bed when the bed is in the sleep position).

Regarding claim **39**, Crawford provides the compartment defined in claim 38 wherein the chair defines a bedside table when the chair is in the inoperative position. When any of the chairs in fig. 6 are folded flat, they are considered capable of functioning as tables, and could further act as bedside tables in the case where only

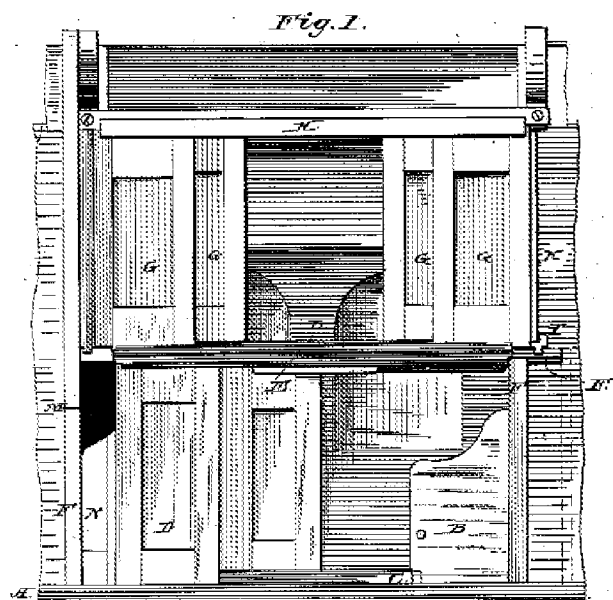
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one bed were unfolded, the folded chair at its inside end would be considered a bedside table.

Regarding claim **40**, Crawford provides the compartment defined in claim 37 wherein the seat (items 21 and 84, fig. 5) is adapted to define a support for the bed when the bed is in the sleep position (seat back 84 folds onto seat 21 to support bed 34 in fig. 6)

Regarding claim **41**, Crawford provides the compartment defined in claim 37 wherein the credenza is adapted to define a support for the bed when the bed is in the sleep position. Credenza 70 in fig. 6 defines a support for bed 34.

Claims **18, 20-23 and 27-29** rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over USPN-245746 to Rodgers.



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Regarding claims **18 and 20**, Rodgers provides a private passenger compartment for a passenger that comprises walls that define a compartment space (fig. 1), a doorway in one of the walls that enables access to the compartment from an aisle (fig. 1, under letter H), and a chair (item B, fig. 1) and a bed (fig. 1, the floor) and a seat (fig. 1, another portion of the floor; there is enough space for one person to sit and another to lie down) located in the compartment space in an interactive way so that the furniture can be selectively arranged in a number of different configurations adapted for relaxation, work, and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (col. 2, lines 83-93 describe formation of a bed; the compartment is in a relaxation or work configuration when the bed is in storage, and a sleep configuration when the bed is arranged in a sleep position as described). Rodgers is silent on the height of the compartment walls, though they appear to be as tall as the door, which would have to be at least 1.6 meters tall for a person of average to comfortably stand. However, if the compartment is not considered to be at least 1.6 meters tall, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Rodgers with walls of at least 1.6 meters, so that a person of ordinary height could stand upright.

Regarding claim **21**, Rodgers provides the compartment defined in claim 18 including two opposed side walls (fig. 1, far and near walls) and two opposed end walls (F, fig. 1) that interconnect the side walls and define the compartment space, with the

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doorway being positioned in one of the side walls (fig. 1) and dividing the side wall into two sections, with one section on each side of the doorway (for example, outside letters G are taught to be stationary in col. 2, lines 94-99, and comprise two sections on either side of doorway defined by the sliding doors labeled with inner letters G).

Regarding claim **22**, Rodgers provides the compartment defined in claim 21 wherein the doorway is positioned centrally in the doorway wall (fig. 1).

Regarding claim **23**, Rodgers provides the compartment defined in claim 21 wherein the sections of the doorway wall are curved so that the compartment is wider in these sections of the compartment than in the region of the doorway. When sliding doors (inner letters G) are partially open, the doorway wall can be considered curved in that the wall is generally concave in the horizontal plane, and the compartment is narrower in the region of the doorway than in the rest of the compartment.

Regarding claim **27**, Rodgers provides the compartment defined in claim 18 including a door assembly for closing the doorway (page 1, lines 44-59).

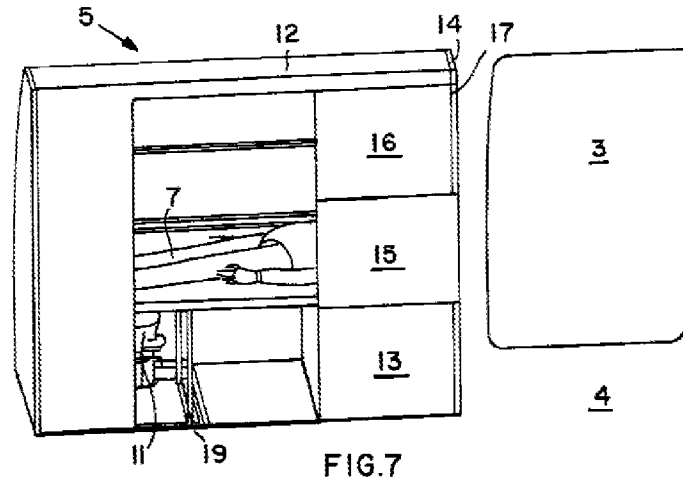
Regarding claim **28**, Rodgers provides the compartment defined in claim 27 wherein the door assembly comprises a door mounted for sliding movement from a retracted position within the doorway wall to a closed position in which the door extends across the doorway and closes the compartment (page 1, lines 93-99).

Regarding claim **29**, Rodgers provides the compartment defined in claim 28 wherein the door assembly comprises a pair of doors mounted for sliding movement inwardly towards each other from retracted positions within the sections of the doorway

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walls that are on opposite sides of the doorway (page 1, lines 93-99; outer doors G are considered the sections of doorway walls).

Claims **18, 20, and 36-37** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over USPN-6273366 to Sprenger.



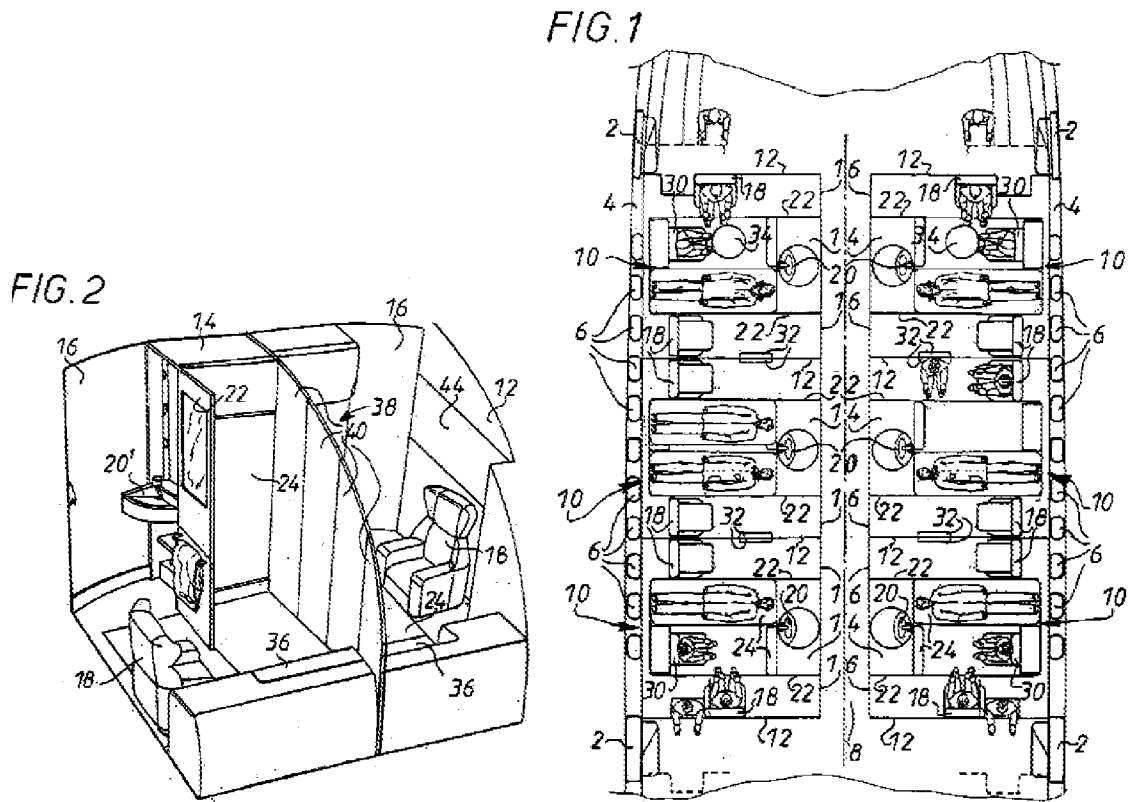
Regarding claims **18 and 20**, Sprenger provides a private passenger compartment (fig. 5, item 2) for a passenger during an aircraft flight that comprises walls that define a compartment space, a doorway in one of the walls (fig. 7, doorway below number 12) that enables access to the compartment from an aisle, and a chair (fig. 7, item 11) and other basic furniture (fig. 7, credenza 13) located in the compartment space in an interactive way so that the furniture can be selectively arranged in a number of different configurations adapted for relaxation, work, and sleep, with the bed being movable between a storage position and a sleep position, with the bed being positioned

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in the storage position when the furniture is arranged in the relaxation and work configurations and in the sleep position when the furniture is arranged in the sleep configuration (unlabeled bed is taught to fold down from the back wall in col. 7, lines 40-43; when the bed is in storage the compartment is configured for both relaxation and work in that someone must work to clean it in this configuration and one might also relax with the compartment in this configuration. When the bed is deployed the compartment is configured for sleeping, particularly for the patient as shown in fig. 7). Sprenger is silent on the height of the compartment walls, though they appear to extend the height of the compartment, which doubles as a bathroom when not in use for patient transport and is shown to be as tall as the aircraft door; the compartment is considered to be at least 1.6 meters tall. However, if the compartment is not considered to be at least 1.6 meters tall, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Sprenger with walls of at least 1.6 meters, so that a person of ordinary height could stand upright.

Regarding claim **37**, Sprenger provides the compartment defined in claim 18 wherein the bed (fig. 5, item 10) is foldable from a storage position in one of the compartment walls to a sleep position within the compartment (col. 4, lines 12-32).

Claims **1, 3 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN-4674712 to Whitener et al. (hereafter Whitener) in view of FR-2842497 Saint-Jalmes as evidenced by corresponding application US-2005/0001097.



Regarding claims **1, 3, 15 and 17**, Whitener provides an aircraft with a double-width fuselage (Whitener fig. 2 or 11). Whitener fails to teach passenger compartments of the present invention.

Saint-Jalmes teaches an aircraft cabin (Saint-Jalmes fig. 1) that comprises a plurality of private passenger compartments (fig. 2) for passengers during an aircraft flight, with each compartment comprising walls that define a compartment space (fig. 2) and being accessible via a doorway (fig. 2, item 16) in one of the walls, and with each compartment at least comprising a chair (fig. 2, item 18) for a passenger. (relevant to claim 1)

Saint-Jalmes additionally teaches a plurality of lavatories in the walls of the compartments that separate adjacent compartments in the rows of compartments

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(Saint-Jalmes fig. 2 below). Saint-Jalmes further teaches that they may be substituted for other facilities, such as "a storage space, for the personal effects of the passengers traveling in the corresponding cabin module," (as evidenced by page 4, paragraph 62 of corresponding US application 2005/0001097), said storage space for personal effects is considered to be capable of storing clothing, given its size, and is considered to comprise a wardrobe. (relevant to claim 15)

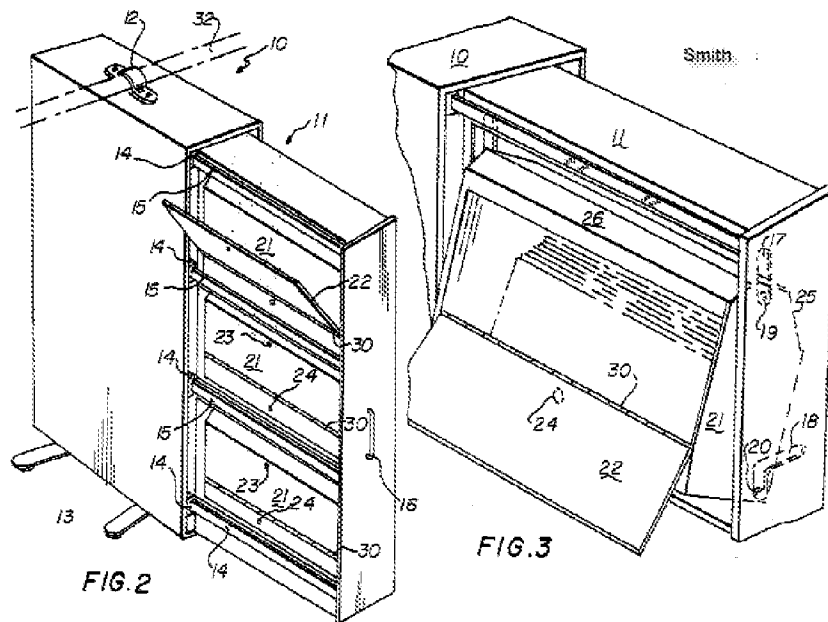
Saint-Jalmes additionally teaches a cabin wherein each compartment includes doors (fig. 2, doors 16) for the doorways so that the compartments can be completely enclosed when the doors are closed. (relevant to claim 17)

The compartments of Saint-Jalmes are not arranged in three rows with at least one non-adjacent an outside wall of the aircraft with an aisle between it and another row. However it would have been obvious to a person of ordinary skill in the art to replace the chairs inside each lobe of the aircraft of Whitener (Whitener fig. 2 or 11) with the passenger compartments of Saint-Jalmes in the arrangement taught by Saint-Jalmes (Saint-Jalmes fig. 1) "to re-create a space comparable to a compartment such as exists in sleeper trains" (Saint-Jalmes paragraph 6). Once replaced, four rows of compartments would extend in a length-wise direction of the aircraft, with adjacent rows being separated by length-wise extending aisles and with two outer rows being positioned along opposite sides of the aircraft with the aircraft side walls forming compartment walls and at least one internal row being positioned between the outer rows and separated from at least one outer row by a said length-wise extending aisle. Saint-Jalmes may be silent on the height of the compartment walls, though they appear

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to extend the height of the compartment, which in fig. 4 is shown to be at least as tall as the bed is long, and as the bed is depicted as being as long as a human being with legs outstretched, it is considered to be more than 1.6 meters long and the compartment is considered as more than 1.6 meters tall. However, if the compartment is not considered to be at least 1.6 meters tall, it would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the compartments of Sprenger with walls of at least 1.6 meters, so that a person of ordinary height could stand upright, and so that it could accommodate a bed long enough so that a person of ordinary height could lay down with legs outstretched.

Claim **16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitener in view of Saint-Jalmes as applied to claim 15 above, and further in view of USPN-4314733 (Smith).



Regarding claim **16**, Whitener in view of Saint-Jalmes provide the cabin defined in claim 15 comprising a plurality of service compartments in the walls of the compartments that separate adjacent compartments in the rows of compartments (Saint-Jalmes fig. 2, items 14), and allows that storage areas for personal effects or carts may be substituted for the depicted lavatories and further allows that the location of the lavatory may be moved, but fails to teach that movable wardrobes may be substituted.

Smith teaches a filing cabinet mounted for sliding movement between a storage position and an operative position in which the filing cabinet extends outward. Such a filing cabinet is considered to be capable of storing clothing and personal effects and acting as a wardrobe. In the case where some lavatories in Saint-Jalmes are replaced with the wardrobes of Smith, they would require opening of doors 16 (Saint-Jalmes fig. 2) and when opening as in Smith figs. 2 and 3 would extend into the aisle and be

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accessible from the aisle. It would have been obvious to a person of ordinary skill in the art at the time of the invention to replace some lavatories in Saint-Jalmes with the movable wardrobes of Smith so that some wardrobes might be accessible from the aisle.

Claims **24, 25 and 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodgers in view of US-2003/0089269 to Oakley.

Regarding claims **24, 25 and 30**, Rodgers provides the compartment defined in claim 23, but fails to teach windows in the doorway wall.

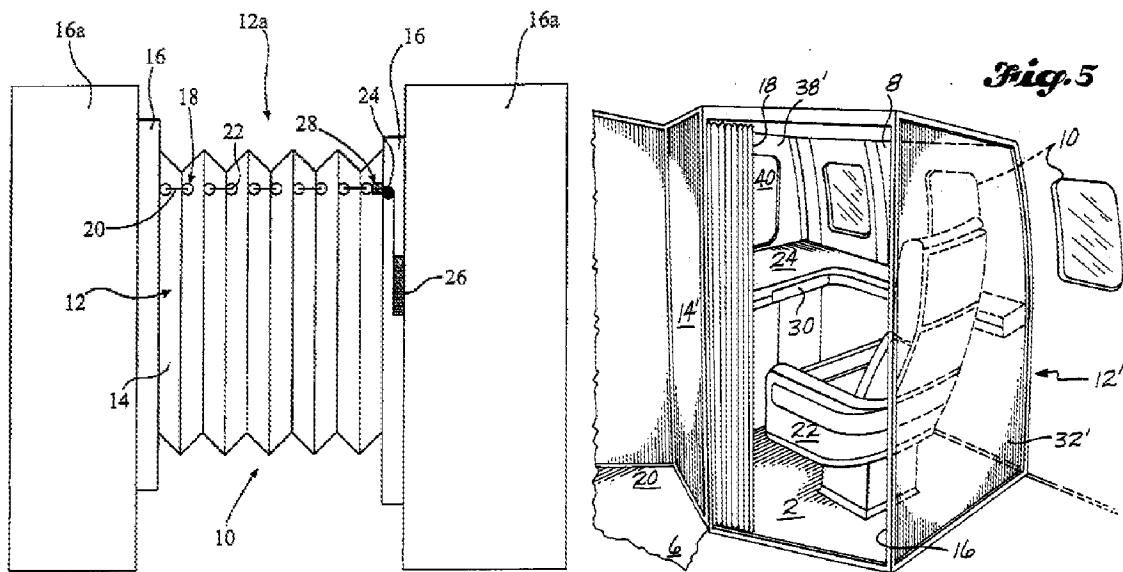
Oakley teaches sliding doors with windows. It would have been obvious to a person of ordinary skill in the art at the time of the invention to place windows such as in Oakley in the doors of Rodgers for purposes of viewing. Once placed within all doors (Rodgers fig. 1, doors G), the fixed doors to either side of the doorway would include windows, and the positioning will be such that the view through the windows in the doorway walls (fixed outer doors G) will pass through the windows in the sliding doors (sliding inner doors G) when the doors are fully retracted, and the view will not be obscured.

Claims **26 and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodgers in view of Oakley as applied to claims 25 and 30 above, and further in view of US-2001/0022218 to Schlecht et al. (hereafter Schlecht).

Regarding claims **26 and 31**, Rodgers in view of Oakley provide the compartment defined in claim 25, but both fail to teach retractable blinds included in the windows.

Schlecht teaches a window roll-up blind for a vehicle, where the blinds are “virtually completely withdrawn behind the contours of the window” (page 1, paragraph 9) and would not interfere with the sliding motion of the doors in Rodgers. It would have been obvious to a person of ordinary skill in the art at the time of the invention to place the blinds of Schlecht on the windows of Oakley in the doors (G, fig. 1, Rodgers) of Rodgers, for purposes of privacy. Once placed, the blinds can be closed when the doors are in the closed positions.

Claims **33 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Riedinger in view of US-2002/0084042 (Kimmel).



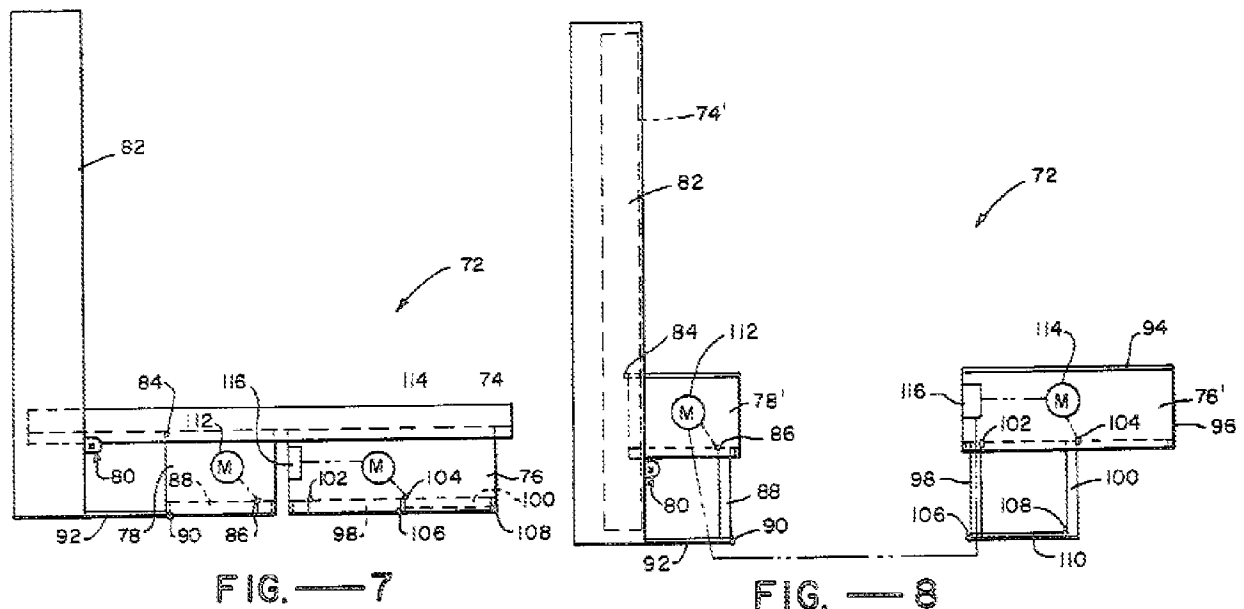
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Regarding claims **33 and 34** Riedinger provides the compartment defined in claim 32 with a curtain supported by an upper rail (fig. 5 above to right), but fails to teach that the upper rail is retractable.

Kimmet teaches a curtain for use in closing a door to a cubicle with a retractable upper rail supporting a curtain comprising collapsible panels wherein the rail retracts into the doorway wall (page 1, paragraph 15; figure to left above). The curtain of Kimmet is additionally taught to fold in a concertina fashion so that the curtain folds against the doorway wall when the rail is slid into the retracted position and the curtain expands and closes the doorway when the rail is in the operative position (Kimmet paragraph 15 and visible in Kimmet figure 1 above to left).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the curtain and curtain rail of Kimmet in the airline cubicle compartment of Riedinger for purposes of security and privacy (Kimmet page 1, paragraphs 6 and 7).

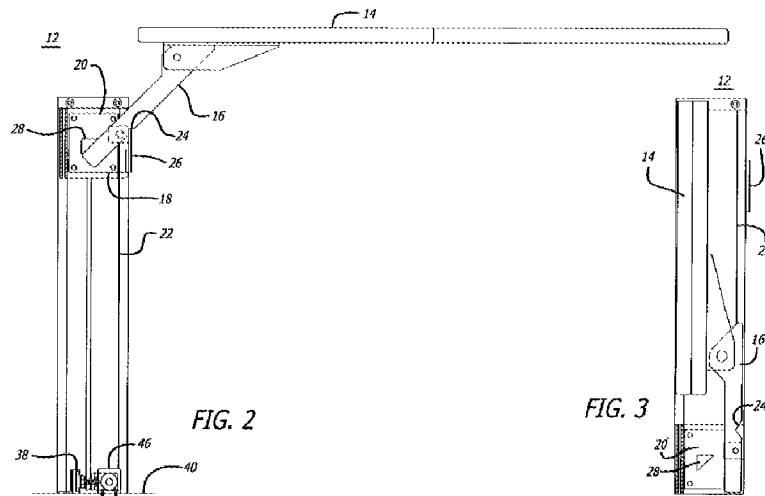
Claim **42** is rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford in view USPN-4318195 to Reppas.



Regarding claim **42**, Crawford provides the compartment defined in claim 41, but fails to teach a credenza movable from a raised operative position in which the credenza can be accessed conveniently by a passenger seated in the chair to a lowered bed support position.

Reppas teaches a bed that folds out from a wall (Reppas fig. 7 on top) like in Sprenger and is supported by a credenza (Reppas fig. 7 on top, item 78; col. 3, lines 46-62) when the bed is in the sleep position. Further, when the bed is raised to a stored position, the credenza is moved to a raised operative position in which the credenza can be accessed conveniently. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the folding bed support system of Reppas for the folding bed of Crawford, for the purpose of raising the credenza to a standard or variable height as in Reppas col. 4, lines 64-68.

Claims **60-64** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dryburgh in view of US-6520091 (Dettmers).



Regarding claims **60-64**, Dryburgh provides the compartment defined in claim 52 with a table assembly (Dryburgh table assembly 228b, Dryburgh fig. 4c) that retracts from an operative position with a table of the table assembly extending horizontally in a space between the chair and the seat into a stored position adjacent the same wall as a work desk, said table assembly comprising two folding panels. Dryburgh fails to explicitly teach a table pivotally mounted to a support arm which is pivotally mounted to a base member which slides between stored and operative positions.

Dettmers teaches an automatic table assembly comprising:

A base member (18, above Dettmers figures) that can slide between the stored position adjacent the side wall and the operative position between the chair and the seat (transition from Dettmers fig. 3 to Dettmers fig. 2 involves member 18 sliding up track 22 from a stored position to an operative position; col. 2, lines 30-62),

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A support arm (16, Dettmers fig. 2) pivotally mounted to the base member (see Dettmers figs. 2, 3) and foldable between the storage position and the operative position (see figs. 2, 3 for folded storage position and unfolded operative position),

And a table pivotally mounted to the support arm (14, Dettmers fig. 2; shown folded about a pivot point in fig. 3). (relevant to claim 60)

wherein the table assembly can be moved from the stored position to the operative position by sliding or otherwise moving the base member outwardly from the stored position, lifting the table upwardly and inwardly into the compartment space and thereby pivoting the support arm upwardly and inwardly into the compartment space until the table is in the horizontal operative position (the transition from the stored position shown in Dettmers fig. 3 to the operative position in Dettmers fig. 2 requires all of these motions, and so the table assembly is considered capable of movement from the stored position to the operative position in this manner). (relevant to claim 61)

wherein the support arm comprises a table support element that is positioned to support an underside of the table when the table assembly is in the operative position with the table in the horizontal position. The support arm (Dettmers 16) of Dettmers fig. 2 comprises a table support element and is considered in its position to support an underside of the table (Dettmers fig. 2, 16 supports underside of 14) when the table is in the horizontal position. (relevant to claim 62)

wherein the table comprises side wings that can be folded between an inward storage position and an outward operative position. The two halves of Dettmers table

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14 can be considered side wings, which are capable of folding between an inward storage position and an outward operative position. (relevant to claim 63)

wherein the base member defines a storage compartment (storage of Dettmers members 14 and 16 is impossible when base member 18 is in the operative position; it defines the available storage space by its degree of extension). (relevant to claim 64)

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the table assembly of Dettmers as the table assembly of Dryburgh to assist in retraction and deployment (Dettmers col. 1, lines 27-30). Moreover, when used in this manner, the stored position of the base member is adjacent the same wall as a work desk, and the operative position of the base member is between the chair and the seat.

Response to Arguments

Applicant's arguments with respect to claims **1,3,5-18,20-34,37-44 and 46-65** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard R. Green whose telephone number is (571)270-5380. The examiner can normally be reached on Monday - Thursday 8:00 am - 6:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mansen can be reached on (571)272-6608. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael R Mansen/
Supervisory Patent Examiner, Art Unit 3644

/R. R. G./
Examiner, Art Unit 3644